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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

BANK OF CYPRUS
PUBLIC COMPANY LIMITED,

Defendant.

Index No.: 07 CIV 9234 (CSH)

**DECLARATION OF JOHN FELLAS IN SUPPORT OF BANK OF CYPRUS
PUBLIC COMPANY LIMITED'S MOTION TO DISMISS THE COMPLAINT**

JOHN FELLAS, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury
as follows:

1. I am a partner in Hughes Hubbard & Reed LLP, attorneys for defendant
Bank of Cyprus Public Company Limited (the "Bank") in this action. I am a member in good
standing of the Bar of the State of New York and of this Court.

2. I submit this Declaration in support of the Bank's Motion to Dismiss the
Complaint on the basis of lack of subject matter jurisdiction, lack of personal jurisdiction, statute
of limitations, and failure to state a claim. The purpose of this Declaration is to put before the

Court copies of prior pleadings and other documents that are cited in the accompanying Memorandum of Law in Support of the Bank's Motion to Dismiss.

3. Annexed hereto as Exhibit 1 is a true and correct copy of the Complaint filed by the United States Government ("the Government") in this action.

4. Annexed hereto as Exhibit 2 is a true and correct copy of the Coordination Agreement between the Government and Joseph P. LaSala and Fred S. Zeidman, co-trustees of the AremisSoft Liquidating Trust ("the Trustees"), dated September 14, 2004.

5. Annexed hereto as Exhibit 3 is a true and correct copy of the Order of the United States District Court for the District of New Jersey approving the Coordination Agreement, dated October 13, 2004, *In re AremisSoft Corporation*, Civ. No. 02-133.

6. Annexed hereto as Exhibit 4 is a true and correct copy of a Letter from Rua M. Kelly to this Court, dated August 28, 2007.

7. Annexed hereto as Exhibit 5 is a true and correct copy of the Amended Complaint filed by the Trustees in *LaSala v. Bank of Cyprus Pub. Ltd. Co.*, No. 06 Civ. 6673 (S.D.N.Y. Sept. 25, 2006).

8. Annexed hereto as Exhibit 6 is a true and correct copy of an article titled "Wall Street's New Interest in Bulgaria," which was published in the New York Times on May 17, 2001.

9. Annexed hereto as Exhibit 7 is a true and correct copy of a portion of the United States Department of State INCS Report on "Money Laundering and Financial Crimes," dated March 2003.

10. Annexed hereto as Exhibit 8 is a true and correct copy of a portion of the United States Department of State INCS Report on “Money Laundering and Financial Crimes,” dated March 2006.

11. Annexed hereto as Exhibit 9 is a true and correct copy of the Declaration of Demetrios Stylianides, dated November 22, 2006.


12. Annexed hereto as Exhibit 10 is a true and correct copy of the Standstill and Tolling Agreement, dated September 7, 2007, between the Government and the Bank. In this document, the Government and the Bank agree to toll the statute of limitations for the AremisSoft Fraud as of September 7, 2007, thereby making September 7, 2002 the relevant date for statute of limitations purposes.

13. The Government is seeking civil penalties of \$896,220.51 for eight transactions occurring in 2003. This figure was calculated using the exchange rates published by the Federal Reserve at <http://www.federalreserve.gov/releases/h10> (last visited on Jan. 22, 2008), according to the exchange rate listed for the day of each transaction. The transactions comprise seven transfers totaling £448,500 and one of \$176,216.41.

14. I have recently traveled to and from Cyprus in connection with this action. Based on this travel experience, I understand that there are no direct flights between Cyprus and any New York metropolitan airport.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 23rd day of January 2008



John Fellas